

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 9-17 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled. Claims 1-8 are canceled.

Claims 1, 3, 4, and 6 were rejected under 35 U.S.C. § 102(b) as being unpatentable over Kanter (U.S. Patent 5,537,314). However, the present invention is “a point transfer dealer system for electronic commerce in which a customer may obtain and redeem points based on services purchased from a plurality of service providers over an open network of customer terminals and service provider terminals.” (Claim 9; Claim 14 contains similar limitations) By contrast, Kanter is a point-of-sale reward system which does not cover e-commerce. (Abstract) Although Kanter discloses a network, purchases are not made over the disclosed network as in the present invention, but rather at the point-of-sale such as a cash register in a brick-and-mortar store. Further, the present invention has “a point issuing system” and “a point redemption system” which are separate from the plurality of service providers. (Claim 9; Claim 14 contains similar limitations) By contrast, Kanter’s award output 36 is at the point-of-sale (Sponsor

Company Location 14 in Figure 1) rather than through separate systems as in the present invention. (Column 18, Lines 15-18) Additionally, the present invention has “a user certificate system connected to the open network for issuing certificates to authenticate the customer and the plurality of service providers.” (Claim 11) Comparatively, Kanter discloses an access authorization unit 42 as part of the central control center 12 which is analogous to the present invention’s financial network. Hence, Kanter fails to disclose a user certificate system connected to an open network as recited in the present invention. Therefore, for at least these reasons, Kanter fails to anticipate the present invention and new claims 10-17 should be allowed.

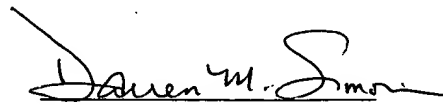
In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in black ink, appearing to read "Darren M. Simon". The signature is fluid and cursive, with a long horizontal stroke at the end.

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